

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YUK RUNG TSANG,

Petitioner,

vs.

Case No. 05-CV-74166
Crim. No. 00-CR-80541
HON. GEORGE CARAM STEEH

UNITED STATES OF AMERICA,

Respondent.

_____ /

ORDER DENYING MOTION TO ALTER OR AMEND JUDGMENT (#318)
AS ON RECONSIDERATION

Petitioner Yuk Rung Tsang's 28 U.S.C. § 2255 motion challenging the evidence used to support a jury's guilty verdict on the charge that petitioner conspired to distribute more than 100 grams of heroin was denied on December 1, 2005. Petitioner asserts the court erred in failing to consider new evidence: an affidavit filed by a private investigator indicating that jurors disagreed, notwithstanding their guilty verdict, as to the nature of petitioner's drug transactions. As has been explained to petitioner by the Sixth Circuit in affirming the conviction and sentence, and by this court in denying petitioner's motions for post-conviction and post-appeal relief, courts do not inquire into jurors' deliberations or the reasons for the verdicts they collectively reach. See United States v. Tsang, No. 02-1776, 96 Fed. Appx. 318, 2004 WL 874783 at **2 (6th Cir. 2004) (citing United States v. Powell, 469 U.S. 57, 68-69 (1984) and United States v. Meyers, 646 F.2d 1142, 1145 (6th Cir. 1981)). Petitioner has failed to demonstrate palpable error. See E.D. Mich. LR

7.1(g)(3) (governing motions for rehearing or reconsideration). Accordingly,

Petitioner's motion to alter or amend judgment is hereby DENIED as on reconsideration.

SO ORDERED.

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: December 27, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on December 27, 2005, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk